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Attorneys for Plaintiff  
EPISTAR CORPORATION

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

EPISTAR CORPORATION,

Plaintiff,

v.

PHILIPS LUMILEDS LIGHTING  
COMPANY, LLC,

Defendant.

Case No. C 07-5194 CW

**DECLARATION OF LENNY HUANG IN  
SUPPORT OF EPISTAR  
CORPORATION'S OPPOSITION TO  
PHILIPS LUMILEDS LIGHTING  
COMPANY, LLC'S MOTION FOR STAY**

PHILIPS LUMILEDS LIGHTING  
COMPANY, LLC,

Counterclaim Plaintiff,

v.

EPISTAR CORPORATION,

Counterclaim Defendant.

1 I, Lenny Huang, declare as follows:

2 1. I am an attorney with the law firm of Akin Gump Strauss Hauer & Feld LLP, counsel to  
3 Epistar Corporation ("Epistar") in this action. I am a member in good standing of the State Bars of  
4 New York and New Jersey and admitted to this proceeding *pro hac vice*. I have personal knowledge of  
5 the facts set forth in this declaration, except where otherwise stated, and could testify competently to  
6 such facts under oath if called as a witness.

7 2. On August 7, 2006, a hearing was held in a patent infringement proceeding between  
8 Epistar and Lumileds Philips Lighting, LLC ("Lumileds") before the International Trade Commission,  
9 styled *In the Matter of Certain High-Brightness Light Emitting Diodes and Products Containing Same*,  
10 Inv. No. 337-TA-556. At that hearing, Lumileds and Epistar agreed that the issue of whether the  
11 products were covered by the Epistar/Lumileds License Agreement or not would be tried separately in  
12 district court. A true copy of the relevant portion of the hearing transcript is attached as Exhibit A.

13 3. A true copy of *Am. Honda Motor Co. v. The Coast Distribution Sys.*, 2007 WL 672521  
14 (N.D. Cal. 2007) is attached for the Court's convenience as Exhibit B.

15 4. A true copy of *Dister v. Apple-Bay East, Inc.*, 2007 WL 4045429 (N.D. Cal. 2007) is  
16 attached for the Court's convenience as Exhibit C.

17  
18 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
19 and correct. Executed on February 15, 2008 at Palo Alto, California.

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21 \_\_\_\_\_  
22 /s/  
23 Lenny Huang  
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